

United States District Court
Western District of Pennsylvania

United States of America,

Frederick Banks,
Defendant

03-CR-245

04-CR-176

96-CR-64

15-CR-168

NOTICE TO THE COURT AND

MOTION TO VACATE RESTITUTION & FINE ORDERS,
OR MODIFY AND TO RETURN PRIOR PAYMENTS

Frederick Banks, American Indian ("Banks") moved the court for an order vacating the Restitution & Fine orders and judgments or to modify and to return prior payments and replements;

1.) While Banks was confined in the Bop, halfway house and while on supervised release Banks made payments on his restitution and fine yet these payments were not applied.

2.) Rele payments were sent by mail to the Clerk and specifically one payment sent from the Bop was in the amount of \$50.00 other payments sent from the Community were several dollars at a time. Unfortunately, it appears that none of the payments were credited in violation of due process.

3.) Accordingly, Banks moves to vacate the restitution and fine orders and judgments, or modify them and reduce them and/or return the payments he made to him and notes statutes do not apply to Indians. *Elk v. Wilk* - US - (), *USA v. Rickett* - US - ().

WHEREFORE, the foregoing motions should be granted.

FILED

JUL 30 2019

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Respectfully Submitted,

Frederick Banks

120759

930 Second Avenue

Pittsburgh, PA 15219

Defendant

1.

Re 03CR245 Court should verify that in that case Banks voluntarily appeared by Summons and was not arrested.